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# Status of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families

## Report of the Secretary-General

*Summary*

By its resolution 45/158 of 18 December 1990, the General Assembly adopted and opened for signature, ratification and accession the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, and called upon Member States to consider signing and ratifying or acceding to the Convention as a matter of priority.

The present report on the status of the Convention is submitted pursuant to General Assembly resolution 57/201 of 18 December 2002.

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1. In its resolution 57/201 of 18 December 2002, the General Assembly called upon all Member States that had not yet ratified the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Assembly resolution 45/158, annex) to consider urgently signing and ratifying or acceding to it as a matter of priority; requested the Secretary-General to make all necessary provisions for the timely establishment of the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families referred to in article 72 of the Convention, as soon as the Convention entered into force, and called upon States parties to submit their first periodic reports in due time; also requested the Secretary-General to provide all the facilities and assistance necessary for the promotion of the Convention through the World Public Information Campaign on Human Rights and the programme of advisory services in the field of human rights; welcomed the increasing activities of the global campaign for the entry into force of the Convention, and invited the organizations and bodies of the United Nations system and intergovernmental and non-governmental organizations to intensify further their efforts with a view to disseminating information on and promoting the understanding of the importance of the Convention; and requested the Secretary-General to submit an updated report on the status of the Convention to the General Assembly at its fifty-eighth session.

2. Furthermore, in its resolution 57/218 of 18 December 2002, the General Assembly requested all Member States, in conformity with their respective constitutional systems, effectively to promote and protect the human rights of all migrants, in conformity with the Universal Declaration of Human Rights and the international instruments to which they are party, which may include the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.

3. The Convention entered into force on 1 July 2003 following the deposit of the twentieth instrument of ratification, on 14 March 2003.

4. As at 10 June 2003, the Convention had been ratified by 22 States, namely, Azerbaijan, Belize, Bolivia, Bosnia and Herzegovina, Cape Verde, Colombia, Ecuador, Egypt, El Salvador, Ghana, Guatemala, Guinea, Mali, Mexico, Morocco, the Philippines, Senegal, Seychelles, Sri Lanka, Tajikistan, Uganda and Uruguay. In addition, 11 States, namely, Bangladesh. Burkina Faso, Chile, Comoros, Guinea-Bissau, Paraguay, Sao Tome and Principe, Sierra Leone, the Sudan, Togo and Turkey, have signed the Convention. Further details on the signatures and ratifications of or accessions to the Convention may be found in the web site of the Office of Legal Affairs of the Secretariat (untreaty.un.org).

5. Promotion of the international human rights treaties, including the Convention, is an ongoing priority of the Secretary-General and the United Nations High Commissioner for Human Rights. In his report to the Millennium Assembly of the United Nations (A/54/2000), the Secretary-General stated that the expansion of the rule of law had been the foundation of much of the social progress achieved in the past millennium but remained an unfinished project, especially at the international level, and that support for the rule of law would be enhanced if States signed and ratified international treaties and conventions. In that connection, on 18 December 2002, International Migrants Day, the Secretary-General called upon Member States that had not yet done so to ratify or accede to the Convention as soon as possible as a way of ensuring the full and effective protection of the human rights of migrants.

6. The importance of ratifying the Convention has also been stressed at the regional level. The General Assembly of the Organization of American States, in its resolution AG/RES.1898 (XXXII-O/02) of 4 June 2002 entitled "The human rights of all migrant workers and their families", resolved to urge the member States of the organization to consider signing, ratifying or acceding to all inter-American human rights instruments and the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.

7. Furthermore, the International Steering Committee of the Global Campaign for Ratification of the Convention on the Rights of Migrants, established in March 1998 for the purpose of building and popularizing a global campaign to promote the ratification and entry into force of the Convention, continued its activities, including through its national counterparts. The Office of the United Nations High Commissioner for Human Rights continued to participate in and to support the initiative. On 3 December 2002, the Steering Committee organized a briefing on the Convention during the eighty-fourth session of the Council of the International Organization for Migration, aimed at promoting ratification of the Convention. On 9 April 2003, during the fifty-ninth session of the Commission on Human Rights, the Steering Committee, together with the Office, organized a panel discussion also aimed at promoting ratification of the Convention.

8. On 1 July 2003, a panel was organized by the Steering Committee to celebrate the entry into force of the Convention. Panellists included the Acting United Nations High Commissioner for Human Rights, the Special Rapporteur on the human rights of migrants and representatives of the International Labour Organization, the International Organization for Migration and the United Nations Educational, Scientific and Cultural Organization. In his introductory statement, the Acting High Commissioner stated that promotion of the Convention had to be considered an additional effort to affirm the rule of law, in particular for groups such as migrants who were too often exposed to abuse and denial of their rights, and that the rule of law and democracy had to be strengthened under the present conditions of globalization. For the same event, a joint statement by the Executive Heads of the International Labour Organization, the International Organization for Migration, the Office of the United Nations High Commissioner for Human Rights and the United Nations Educational, Scientific and Cultural Organization was issued, welcoming the entry into force of the Convention and expressing the commitment of the offices to work towards increased collaboration and joint activities in the field of migration and human rights. Flyers and posters about the Convention were prepared and disseminated by the Office of the High Commissioner for the occasion.

9. The Special Rapporteur on the human rights of migrants continued to promote adherence to the Convention within the framework of the mandate entrusted to her by the Commission on Human Rights. In 2002, the Special Rapporteur participated in several conferences, seminars and other events and delivered speeches and lectures reiterating the importance of the ratification of the Convention for the full and effective protection of the human rights of migrants.

10. Finally, through the programme of advisory services in the field of human rights, efforts have been pursued by the Secretariat to establish a dialogue with States that have not adhered to international human rights treaties, including the Convention. Workshops on ratification and reporting to human rights treaty bodies organized by the Office of the United Nations High Commissioner for Human Rights in 2002 have continued to stress the importance of ratifying the Convention.